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SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1906.

No. 72.

TOMAS GARROZI, JUANA MARIA GONZALEZ, AND DOMINGO PIAZZI, APPELLANTS,

vs.

JUANA DASTAS, APPELLEE.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF PORTO RICO.

SUPPLEMENTAL BRIEF ON BEHALF OF APPELLEE.

Some question having been raised at bar as to the date upon which the Civil Code of Porto Rico of 1902 became effective, we respectfully submit for the consideration of the court the following certificate of the Secretary of Porto Rico, the original of which has been filed in the office of the clerk of this court:

THE PEOPLE OF PORTO RICO,
OFFICE OF THE SECRETARY.

I, Regis H. Post, Secretary of Porto Rico, do hereby certify that section 41 of the Political Code, as in force previous to March 12, 1903, provided that "every statute, unless

a different time is prescribed therein, takes effect from its passage"; and do further certify that the Civil Code of Porto Rico, as shown by the original bill filed in the office of the Secretary, was approved by the Governor on the 1st day of March, 1902.

In testimony whereof I have hereunto set my hand and affixed the seal of Porto Rico this 31st day of October, 1906.

[Great Seal of Porto Rico.]

REGIS H. POST,
Secretary of Porto Rico.

Section 55 of the Political Code of Porto Rico (Rev. Stats. and Codes of Porto Rico, 1902, p. 317), which was approved by the Governor of Porto Rico March 1, 1902, the date of the approval of the Civil Code in question, declares that—

"The Secretary of Porto Rico shall promulgate all proclamations and orders of the Governor and all laws enacted by the Legislative Assembly."

"SEC. 56. The Secretary shall record and preserve:

* * * * * * *

"(*b*) The acts and resolutions passed by the Legislative Assembly.

* * * * * * *

"(*c*) The great seal of Porto Rico."

"SEC. 58. In addition to the duties prescribed in the foregoing, it is the duty of the Secretary:

* * * * * * *

"(6) To furnish, on demand, to any person paying the fees therefor, a certified copy of all or any part of any law, public record or instrument filed, deposited or recorded in his office, provided the issuing of such copy shall not be prejudicial to public interests."

Section 42 of said Political Code (Rev. Stats. and Codes of Porto Rico, p. 312) declares that "every statute, unless a different time is prescribed therein, takes effect from its passage."

As the Civil Code of Porto Rico upon which appellee so largely relies in this case was passed and approved March 1, 1902, and no other or different time was prescribed therein for its going into effect, under the above-quoted provision of the Political Code it "took effect from its passage."

FRANCIS H. DEXTER,
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Attorneys for Appellee.